

Prob12B
(7/93)

**United States District Court
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Jacqueline Santos

Case Number: 2:04-CR-85-02 (D/VT)
05-CR-30022 (D/MA)

Name of Sentencing Judicial Officer: Honorable William K. Sessions, III, U.S. District Judge
4/22/05: Transfer of Jurisdiction to D/MA: Honorable Michael A. Ponsor, U.S. District Judge

Date of Original Sentence: February 14, 2005

Original Offense: Conspiracy to Distribute Heroin, 21 U.S.C. §§ 846;841

Original Sentence: Time Served, 3 years Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: February 14, 2005

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years
☒ To modify the conditions of supervision as follows:

Spend 120 days (4 months) in a Community Treatment Center, effective upon designation by the Bureau of Prisons.

While at the Community Treatment Center, defendant will be allowed to work at an approved work site.

CAUSE

As a special condition of supervision, Judge Sessions ordered Ms. Santos to serve four (4) months Home Detention with Electronic Monitoring. Ms. Santos has violated the Electronic Monitoring Agreement in place on several occasions. She has repeatedly returned home late and has been given the benefit of doubt because she reportedly was experiencing transportation difficulties.

On May 8, 2005, Ms. Santos was scheduled to leave home to go to work at 1:00 pm and return at 11:00 pm. Electronic Monitoring Specialist USPO Sharon Hoskins contacted Ms. Santos' place of employment at 10:30 pm and spoke to a male who advised that she was not at work and had not been there all night. Ms. Santos arrived home that night at 11:02 pm. When confronted, Ms. Santos reported that she was only approximately 1 hour late for work and was there until leaving at her regular time of 10:00. A subsequent monitoring company report revealed that Ms. Santos left her residence at 6:04 pm and returned at 11:02.

Ms. Santos could provide no concrete explanation as to why she left her residence at 6:00 pm when she was supposed to leave home to go to work at 1:00 pm. She also could not explain why the male answerer advised

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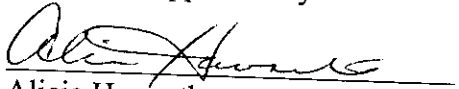
that she had not been at work all day and why she was late coming home on May 8, 2005.

USPO Lee advised her that because of her lack of accountability while on Electronic Monitoring, coupled with her unknown whereabouts on Saturday, May 8, 2005, a sanction is warranted.

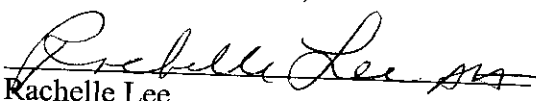
Ms. Santos was also court-ordered to attend outpatient substance abuse testing and treatment as directed by USPO. Subsequent to testing positive for marijuana, cocaine and morphine, Ms. Santos was referred to Mt. Tom City Clinic for outpatient counseling. Ms. Santos failed to report to Mt. Tom or call and cancel two prearranged appointments.

In light of the above, Ms. Santos waived her right to a Court hearing and agreed to the above modification of her conditions of supervised release.

Reviewed/Approved by:

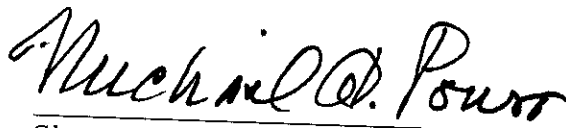

Alicia Howarth
Supervising U.S. Probation Officer

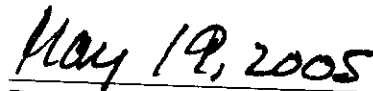
Respectfully submitted,

By 
Rachelle Lee
U.S. Probation Officer
Date: May 17, 2005

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other


Signature of Judicial Officer


Date

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

You shall spend 120 days (4 months) in a Community Treatment Center, effective upon designation by the Bureau of Prisons.

While at the Community Treatment Center you will be allowed to work at an approved work site.

Witness:

Rachelle Lee
U.S. Probation Officer

Signed:

Jacqueline Santos
Probationer or Supervised Releasee

05 12 05
DATE